GEORGE HARMS CONSTRUCTION CO., INC.

Mailing: P.O. Box 817, Farmingdale, NJ 07727 / 62 Yellowbrook Road, Howell, NJ 07731
Phone: 732-938-4004 / Fax: 732-938-2782
Website: www.ghcci.com / Email: info@ghcci.com

September 24, 2009

Ms. Lisa A. Baron
Project Manager, Harbor Programs Branch
U.S. Army Corps of Engineers
26 Federal Plaza – Room 2119
New York, NY 10278-0090

Dear Ms. Baron,

Enclosed please find the agenda questions and answers you requested in your September 1, 2009 email, along with the following:

Pages 1 through 4 are the stability letter for the barges we generally use,
Page 5 is a catalog cut of the Jackup Barge,
Page 6 is specifications of the tug boat we charter, and
Page 7 is the investments/improvements to the property.

If you have any questions or need additional information, please feel free to contact me.

Very truly yours,
George Harms Construction Co., Inc.

Robert Harms
Vice President of Operations

RH/ds

CC: T. Hardell
J. Griffin
S. Hahn

1. **How are you currently using the Passaic River navigation channel? Discuss any physical constraints that limit how you are operating. Please include any specific information about the vessels you are bringing in, including size, draft, and the name of the vessel.**

As discussed in the meeting on 8-21-09 we purchased the property in Feb. 2009. We have only recently started our permitting and site plan approval process and have had limited use of the property. Even with our limited use, to date, we have been hampered by the shallow water depths and have had to work around the tides due to the draft of our tugs.

The main physical constraint that limits our operation is the depth of water. Depending on what the USACE does or does not do to the Passaic River channel, they could have a major impact on our operation. The vessels we use draft in the range of 4.5' to as much as 18'. The vessels that draft 4.5' are sectional barges which are assembled in a wide variety of sizes. We also use tug boats that draft 18' which are 124' long by 31.6' wide.

2. **How do you expect to operate in the future?**

We expect to operate as a marine service provider and a loading and off loading location for our construction work, as well as servicing others needing access to the water for the loading and unloading of materials, equipment, and other related services. One of our plans is to bring construction aggregates in on ships to be loaded and off loaded at our location, as well as using our location as a distribution point for these aggregates. We also have plans on using the location as a staging site for off shore and costal water work in the tri-sate area. We plan to establish an onsite precast concrete products plant for supply and shipping of precast products by barge from the property.

a. **How would you operate if the conditions stayed the same as they are now (no maintenance)?**

We would be forced to operate around the tides for loading and off – loading. It would severely limit the activities we could perform at the site thereby limiting our volume of business and our ability to generate employment and trade opportunities.

The fact that the current conditions could possibly worsen, if not addressed, is an issue that the USACE should also be considering.

b. How would you operate if the channel were deeper and/or maintained at its authorized depth?

We are taken back by the possibility that the USACE may not maintain the depths of the channel. We fully anticipated, when we purchased the property, that the channel depths would be provided and maintained, based on the past history of the dredging in the Lower Passaic River.

Although maintenance dredging to maintain the channel depth is a necessity, we feel the channel need only be maintained at a 25 foot depth to operate efficiently.

c. Are there facility/infrastructure changes, operational modifications or other Investments you would need to make in order to operate in a deeper channel?

Yes, and we are currently making these investments in anticipation of full operation. We have recently applied for all permits and have submitted a property site plan for approval. We are finalizing the design of a heavy load wharf and bulkhead to support off loading cranes and heavy handling equipment, which has been depicted in our recently submitted documents. We intend to perform the improvements in phases.

d. If so, how likely is it that you would be able to make these investments in the short term (2-5 years)? In the longer term (5+ years)?

We do plan on making all of these investments short term. Attached is our plan of improvements.

ABS AMERICAS
A DIVISION OF THE AMERICAN BUREAU OF SHIPPING

Stability Letter

June 15, 1998

Master, "U-798" O.N. 1068524
Newpark Shipbuilding Hull 9516
180'-0" x 54'-0" x 12'-6"
Unmanned Deck Cargo Barge (I)

You are responsible for maintaining this vessel in a satisfactory stability condition at all times and for following the instructions and precautions below.

A deadweight survey, witnessed by ABS Americas was conducted on the U-796, O.N. CG050479, a sister to the U-798, O.N. 1068524 at Houston, Texas, on May 9, 1996. On the basis of this survey, stability calculations have been performed. Results indicate that the stability of the U-798, as presently outfitted and equipped, is satisfactory for operation on Exposed Waters, provided that the following restrictions are observed.

OPERATING RESTRICTIONS

1. ROUTE: Operation on Exposed Waters is permitted.

2. FREEBOARD AND DRAFT: A maximum molded keel draft of 10 feet 0-1/4 inches (10 feet 0-3/4 inches extreme) is permitted. This corresponds to a minimum freeboard from the main deck measured at amidships of at least 2 feet 5-3/4 inches. Trim should be minimized.

3. WEIGHT CHANGES: This stability letter has been issued based upon the following light ship parameters:

Displacement:	407.50 long tons
VCG:	7.50 feet above the baseline
LCG:	3.56 feet forward of frame 13

No fixed ballast or other such weights may be added, removed, altered, and or relocated without the authorization and supervision of the cognizant Officer in Charge, Marine Inspection (OCMI). The barge is not fitted with permanent ballast.

4. HULL OPENINGS: Any openings that could allow water to enter into the hull or deckhouse should be kept closed when underway.

(1)

16855 NORTHCHASE DRIVE, HOUSTON, TX 77060-6008 USA
TEL: 281-877-6000 FAX: 281-877-6001

5. DECK CARGO: The height of deck cargo above the deck in any loading condition shall not exceed two times the allowable VCG above the deck. However, in no circumstance shall the cargo height above the deck exceed 123 feet. The cargo must be positively secured against shifting before leaving protected waters. The height of the cargo VCG above the main deck shall not exceed the following:

Keel Draft (ft)	Maximum Allowable Cargo VCG above Deck (ft)
10.20	2.90
10.00	3.05
9.00	10.20
8.00	19.37
7.57	24.00
7.00	25.92
6.00	30.50
5.00	36.33
4.00	43.88

For intermediate draft values, use the maximum VCG values for the higher draft.

6. WATERTIGHT BULKHEAD: No watertight bulkheads shall be removed or altered without the authorization and supervision of the OCMI.

7. BILGES: The vessel's bilges and voids shall be kept pumped to minimum content at all times consistent with pollution prevention requirements.

8. LIST: You should make every effort to determine the cause of any list of the vessel before taking corrective action.

This stability letter, along with the Load Line Certificate, shall be maintained in a suitable location onboard the barge. It supersedes any stability information previously issued to the barge.

Thomas M. Gruber
Principal Engineer
ABS Americas

(2)

McDonough Marine

180' x 54' x 12'-6" DECK BARGE

DEADWEIGHT CAPACITY TABLE

BARGES U798 & U799

LT SHIP WEIGHT 407.5 L TON

DRAFT FT	DISPLACEMENT L TON	DEADWEIGHT L TON
2.00	452.40	44.90
2.50	569.40	161.90
3.00	687.50	280.30
3.50	807.40	399.90
4.00	928.40	520.90
4.50	928.40	520.90
4.50	1,050.70	643.20
5.00	1,174.40	766.90
5.50	1,298.30	891.80
6.00	1,426.50	1,018.00
6.50	1,553.10	1,145.60
7.00	1,682.00	1,274.50
7.50	1,812.20	1,404.70
8.00	1,943.70	1,536.20
8.50	2,076.50	1,668.00
9.00	2,210.70	1,803.20
9.50	2,346.10	1,938.60
10.00	2,482.80	2,075.40
Load Line 10.021	2,488.84	2,081.14

(3)

U 800

SHIP - 180 x 54 x 12.5 DECK BARGE - NEWPARK HULLS 9533 & 9534

HYDROSTATICS - PART I TRIM .000 FEET

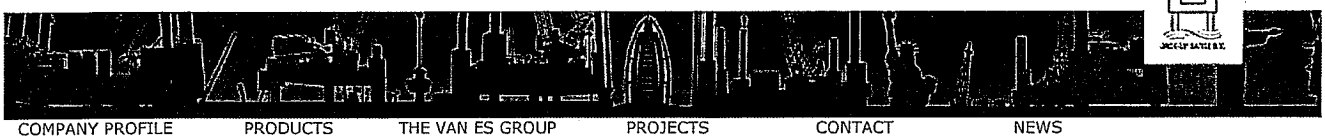
DRAFT FT	VOLUME FT^3	DISPLACEMENT LTON	LCB FT	KB FT	WETTED SURFACE FT^2	PRISMATIC COEF	BLOCK COEF	WPLANE COEF
2.00	15844.	452.4	.00	1.01	8606.	.977	.972	1.000
2.50	19942.	569.4	.00	1.27	8849.	.972	.968	1.000
3.00	24087.	687.8	.00	1.52	9093.	.966	.963	1.000
3.50	28278.	807.4	.00	1.78	9339.	.961	.959	1.000
4.00	32515.	928.4	.00	2.04	9587.	.956	.954	1.000
4.50	36798.	1050.7	.00	2.30	9836.	.951	.949	1.000
5.00	41128.	1174.4	.00	2.56	10087.	.947	.945	1.000
5.50	45504.	1299.3	.00	2.82	10340.	.942	.940	1.000
6.00	49925.	1425.5	.00	3.08	10594.	.937	.936	.999
6.50	54393.	1553.1	.00	3.34	10850.	.933	.932	.999
7.00	58907.	1682.0	.00	3.60	11108.	.929	.927	.999
7.50	63467.	1812.2	.00	3.86	11368.	.924	.923	.999
8.00	68073.	1943.7	.00	4.12	11629.	.920	.919	.999
8.50	72724.	2076.5	.00	4.39	11892.	.916	.915	.999
9.00	77422.	2210.7	.00	4.65	12157.	.912	.911	.999
9.50	82166.	2346.1	.00	4.92	12423.	.908	.907	.999
10.00	86955.	2482.9	.00	5.18	12691.	.904	.903	.999
10.50	91790.	2620.9	.00	5.45	12961.	.900	.899	.999
11.00	96647.	2759.6	.00	5.72	13144.	.905	.904	1.000
11.50	101507.	2898.4	.00	5.98	13325.	.909	.908	1.000
12.00	106367.	3037.2	.00	6.24	13505.	.913	.912	1.000

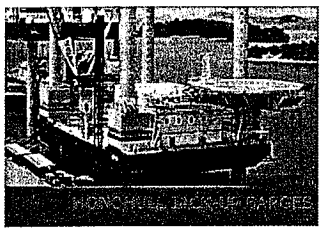
HYDROSTATICS - PART II TRIM .000 FEET

DRAFT FT	WPLANE AREA FT^2	LCF FT	TPI LT/IN	CIDOFTS LTON	LONG. KM FT	TRNSV KM FT	MT1 FTxLT	LWL FT	BEAM FT
2.00	8150.	.00	19.39	.00	977.3	125.97	204.5	150.94	54.00
2.50	8242.	.00	19.61	.00	803.5	101.66	211.5	152.66	54.00
3.00	8334.	.00	19.83	.00	688.3	85.56	218.7	154.37	54.00
3.50	8426.	.00	20.05	.00	606.4	74.15	226.0	156.08	54.00
4.00	8518.	.00	20.27	.00	545.3	65.66	233.5	157.80	54.00
4.50	8610.	.00	20.49	.00	498.0	59.11	241.1	159.51	54.00
5.00	8702.	.00	20.71	.00	460.5	53.93	249.0	161.22	54.00
5.50	8794.	.00	20.93	.00	429.9	49.73	256.9	162.93	54.00
6.00	8886.	.00	21.14	.00	404.7	46.28	265.1	164.64	54.00
6.50	8978.	.00	21.36	.00	383.5	43.40	273.4	166.35	54.00
7.00	9070.	.00	21.58	.00	365.5	40.97	281.8	168.06	54.00
7.50	9162.	.00	21.80	.00	350.1	38.89	290.5	169.77	54.00
8.00	9253.	.00	22.02	.00	336.7	37.11	299.3	171.47	54.00
8.50	9345.	.00	22.24	.00	325.1	35.57	308.3	173.18	54.00
9.00	9437.	.00	22.45	.00	314.8	34.23	317.5	174.89	54.00
9.50	9528.	.00	22.67	.00	305.8	33.05	326.8	176.59	54.00
10.00	9620.	.00	22.89	.00	297.8	32.02	336.3	178.30	54.00
10.50	9712.	.00	23.11	.00	290.6	31.12	346.0	180.00	54.00
11.00	9717.	.00	23.12	.00	277.0	30.13	346.6	180.00	54.00
11.50	9720.	.00	23.13	.00	264.5	29.25	346.9	180.00	54.00
12.00	9720.	.00	23.13	.00	253.0	28.45	346.9	180.00	54.00

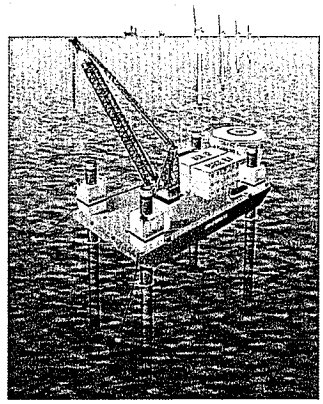
(4)

Jack-Up Barge marine services worldwide





Self elevating platform JB-114 and JB-115



Click for more photos

General

Type	MSC SEA 2000 general purpose platform
Make/Yard	Labroy Marine Limited, Singapore
Class	A.B.S. + A1 self elevating unit

Main dimensions

Length	55.50 metre
Breadth	32.20 metre
Depth	5.00 metre
Draft Max.	3.60 metre
Leg length	73.2 metre (max. 80 metre)
Leg diam.	3.00 metre

Jacking system

Jacking speed	0.5 metre / min
Jacking stroke	1.7 metre
Max. pay load	1250 tons

Mooring system

Winches	4 x 30 tons line pull electric driven
Anchors	4 x Delta Flipper 3.0 tons

Crane

Make	Favco Cranes, Malaysia
Type	PC 300 HD offshore crane
Capacity	280 tons at 22 metre radius

Heli deck

Size	19.5 metre diam. (only for the JB-115)
Capacity	Super Puma or equal (only for the JB-115)

Operating conditions

Max. water depth	± 50 metre
Wave height/period	2.0 metre/6.0 sec
Wind speed	20 metre/sec

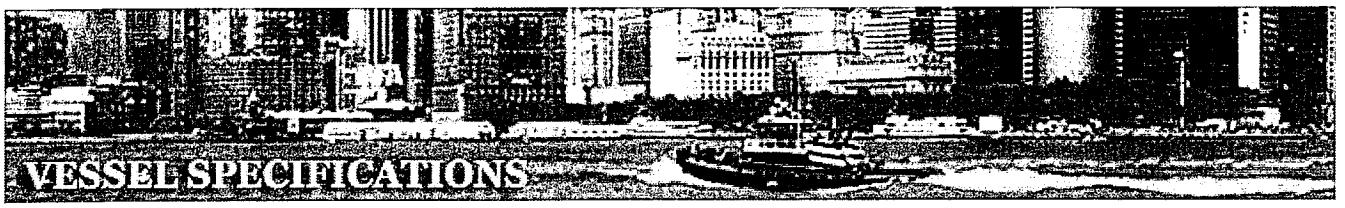
Survival conditions (based on 40 metre water depth)

Max wave	15.0 metre/12.5 sec
Wind speed	39.0 metre/sec

Optionals

Accommodation units up to 160 persons incl. all facilities
4 x 30 tons line pull
Drilling equipment
Pile driving equipment
Spudcans 24.00 sq. metre each

(5)



HOME

CHOOSE A PORT

FLEET LOCATION REPORT

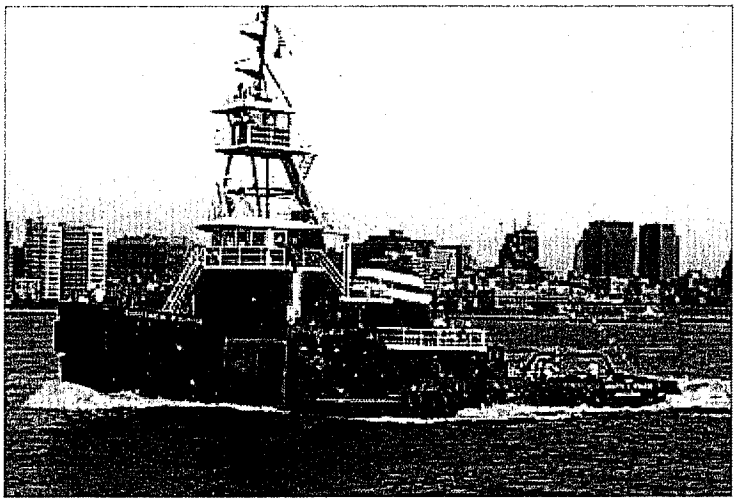
SERVICES

ABOUT McALLISTER

EMPLOYMENT OPPORTUNITIES

McALLISTER STORE

EXTRAS



Christine McAllister

Official # 563058

General:

Year Built:	1975
Class:	ABS Classed +A-1 Towing, A.M.S., Ice Class C

Dimensions:

Length Overall:	135'
Length:	125'
Breadth:	38'
Depth:	20'
GRT:	198
NRT:	143
Draft Loaded:	18.5'
Draft Light:	14.5'

Propulsion:

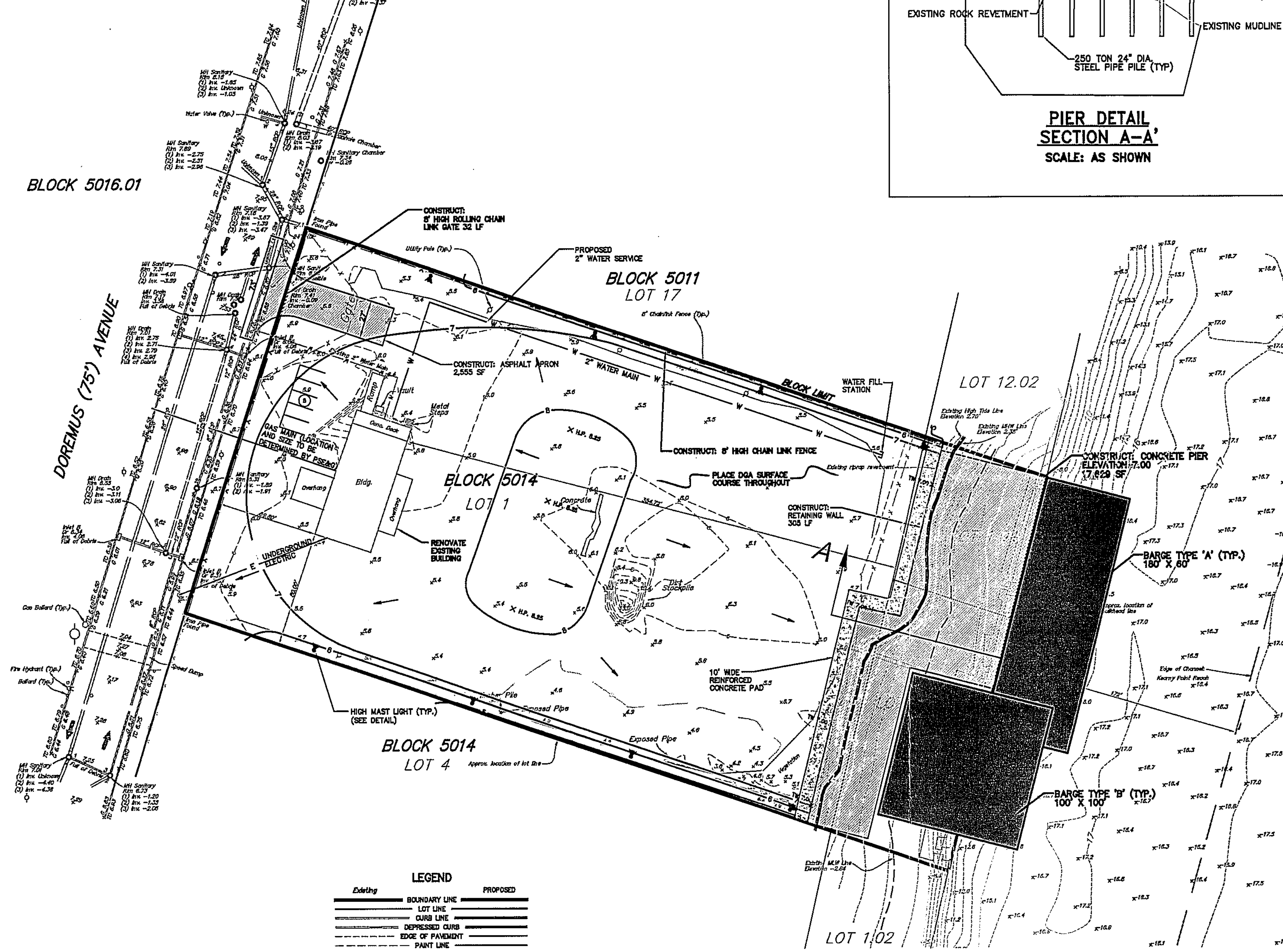
Main Engines:	(2) EMD 16-645-E5
Horsepower:	6,000
Propellers:	Twin Screw, Kort Nozzle
Reduction Gears:	Lufkin - 4.98:1

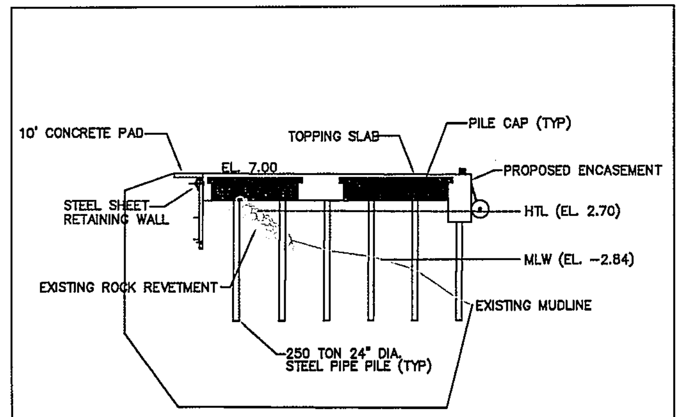
Machinery:

Fire Fighting:	(4) Fire Stations
Towing Gear:	Intercon Double Drum 3,500' of 2 ¼" towing wire on main drum 2,500' of 2 ¼" towing wire on anchor drum
Deck Crane:	QMC 5555 PED 38,000 lbs. @ 10' - 55'

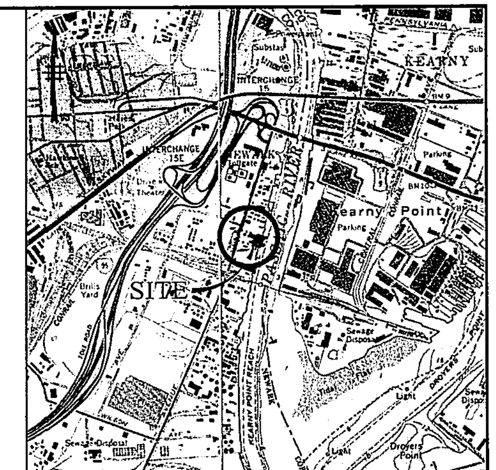
Upper

(6)





PIER DETAIL
SECTION A-A'
SCALE: AS SHOWN



LOCATION MAP
SCALE: 1"=2000'

2000 1000 0 2000 4000 8000
GRAPHIC SCALE

GRADING AND UTILITY NOTES:

1) ALL LOCATIONS OF EXISTING UTILITIES AT ALL POTENTIAL CROSSINGS ARE TO BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.

2) LOCATIONS OF SEWER LATERALS AND WATER SERVICES ARE APPROXIMATE. FINAL LOCATIONS ARE TO BE CONFIRMED WITH THE ARCHITECTURAL PLANS.

3) STREET LIGHTING IS NOT PROPOSED FOR THIS PROJECT. THE SITE IS BOUND BY EXISTING STREETS WITH LIGHTING ALREADY IN PLACE.

GENERAL NOTES:

1) KNOWN AND DESIGNATED AS BLOCK 5014, LOTS 1, 1.03, & 1.04 AS SHOWN ON THE CURRENT TAX MAP OF THE CITY OF NEWARK, ESSEX COUNTY, NEW JERSEY, DATED JANUARY 1, 2001, SHEET 123.

2) LOT AND BLOCK NUMBERS, ALONG WITH WATERWAY AND ROAD NAMES SHOWN HEREON ARE AS SHOWN ON THE CURRENT TAX MAP OF THE CITY OF NEWARK, ESSEX COUNTY, NEW JERSEY, DATED JANUARY 1, 2001, SHEET 123.

3) BOUNDARY INFORMATION SHOWN HEREON WAS BASED ON MAP REFERENCE NUMBER 1 BELOW.

4) HYDROGRAPHIC INFORMATION SHOWN HEREON IS AS SHOWN ON MAP REFERENCE NUMBER 3 BELOW.

5) THIS PLAN IS A GRAPHICAL REPRESENTATION OF EXISTING LOT LINES AND IS NOT INTENDED TO BE USED AS A BOUNDARY SURVEY.

6) THE PROPERTY LIES WITHIN THE AE FLOOD HAZARD ZONE (SUBJECT TO 100-YEAR FLOOD) PER FEMA FLOOD MAPPING.

7) PROJECT DESCRIPTION:
IT IS PROPOSED TO REMOVE THE EXISTING PIER, REGRADE THE SITE, REPLACE FENCING, ADD SITE LIGHTING, AN ASPHALT APRON IN THE FRONT OF THE PROPERTY, ELECTRIC SERVICE, GAS SERVICE, AND 2" WATER SERVICE FROM THE EXISTING BUILDING. CONSTRUCTION OF A BULKHEAD AND PIER IN THE SITE'S REAR IS ALSO PROPOSED FOR USE IN THE TRANSPORTATION OF CONSTRUCTION EQUIPMENT AND MATERIALS VIA BARGE ALONG THE PASSAIC RIVER.

MAP REFERENCES:

1) "LOCATION SURVEY LOTS 1, 1.03 & 1.04 BLOCK 5014 CITY OF NEWARK ESSEX COUNTY NEW JERSEY" PREPARED BY HEDGES & ASSOCIATES INC., DATED NOV. 18, 2008.

2) FIRM - FLOOD INSURANCE RATE MAP, CITY OF NEWARK, NEW JERSEY, ESSEX COUNTY, PANEL 8 OF 12, COMMUNITY PANEL NO. 340189 0008 B, MAP REVISED MARCH 28, 1980.

3) "HYDROGRAPHIC SURVEY PORTION OF TAX MAP LOTS 1, 1.03 & 1.04, BLOCK 5014 DOREMUS AVENUE DEVELOPMENT SITUATED IN CITY OF NEWARK, ESSEX COUNTRY, NEW JERSEY", PREPARED BY LGA ENGINEERING, INC., DATED APRIL 7, 2009 AND REVISED ON JULY 15, 2009.

COORDINATE SYSTEM:

HORIZONTAL DATUM - NAD 1983, BASED ON GPS OBSERVATIONS BY LGA ENGINEERING, INC., APRIL 7, 2009 AND REFER TO NATIONAL GEODETIC MONUMENT "NJ2" (PID-AJ3348).

VERTICAL DATUM - NAVD 1988, BASED ON GPS OBSERVATIONS BY LGA ENGINEERING, INC., ON APRIL 7, 2009 AND REFER TO NATIONAL GEODETIC MONUMENT "NJ2" (PID-AJ3348.)

TIDAL ELEVATION:

REFER TO NAVD 1988

MHHW = 2.70 FEET
MHW = 2.38 FEET
NAVD 88 = 0.00 FEET
MSL = -0.12 FEET
MLW = -2.84 FEET
MLLW = -3.08 FEET

TIDAL ELEVATIONS BASED ON TIDAL BENCHMARK STATION NO. 8530743
LOCATED AT POINT NO POINT, PASSAIC RIVER, NEW JERSEY.
POINT IDENTIFICATION NUMBER: KV0285.

LEGEND

EXISTING		PROPOSED
	BOUNDARY LINE	
	LOT LINE	
	CURB LINE	
	DEPRESSED CURB	
	EDGE OF PAVEMENT	
	PAINT LINE	
	CONCRETE	
	CONTOURS	
	MINOR	23
	MAJOR	50
	STORM DRAIN	
	INLET TYPE 'A'	
	INLET TYPE 'B'	
	INLET TYPE 'E'	
	MANHOLE	
	FLOW DIRECTION	
	WATER VALVE / CLEANOUT	
x 62.82	SPOT ELEVATION	63.82
x TC 63.82	TOP OF CURB ELEVATION	x TC 65.82
x G 63.82	GUTTER ELEVATION	x G 63.82
33.47 BW	BOTTOM OF WALL ELEVATION	BW 64.0
33.47 TW	TOP OF WALL ELEVATION	TW 64.0
	TRAFFIC FLOW	

ATTENTION OF THE CONTRACTOR IS DIRECTED TO THE FACT THAT THE APPROXIMATE LOCATIONS OF KNOWN UTILITY STRUCTURES AND FACILITIES THAT MAY BE ENCOUNTERED WITHIN AND ADJACENT TO THE LIMITS OF WORK AREA SHOWN ON THE PLANS. THE ACCURACY AND COMPLETENESS OF THIS INFORMATION IS NOT GUARANTEED BY THE ENGINEER, AND THE CONTRACTOR IS ADVISED TO VERIFY, IN THE FIELD, ALL THE FACTS CONCERNING THE LOCATION OF THESE UTILITIES AND OTHER CONSTRUCTION OBSTACLES PRIOR TO THE START OF CONSTRUCTION. FURTHER, THE CONTRACTOR SHALL NOTIFY THE ENGINEER IN WRITING PRIOR TO CONSTRUCTION, OF ANY DISCREPANCIES WHICH MAY EFFECT THE PROJECT DESIGN.

THE CONTRACTOR SHALL CONTACT NEW JERSEY ONE CALL (1-800-272-1000, OR LATEST NUMBER) FOR UTILITY MARKOUT PRIOR TO THE START OF CONSTRUCTION .

NOT FOR CONSTRUCTION

40 30 20 10 0 40 80 120
GRAPHIC SCALE
1 inch=40 feet

NO.	DATE	REVISION	DRAWN	CHK'D	REL'D
2.	9/11/09	ADDED BARGE PER ACOE COMMENT	DG		
1.	9/3/09	REVISED SHEET PER PLANNER'S 8/28/09 REVIEW	RRE		

LGA ENGINEERING, INC.
A SUBSIDIARY OF BIRDSALL SERVICES GROUP, INC.
CONSULTING ENGINEERS & SURVEYORS

DATE:

PHILLIP SCOTT, P.E.
PROFESSIONAL ENGINEER
N.J. Lic. No. 44179

Alan P. Hills PE No 20393
Michael J. Giuliano, Jr. PE No 23314
John L. Wuestneck PE No 36698
David O. Earickson PE No 42244

WWW.BIRDSALL.COM

750 Vassar Avenue
Lakewood, N.J. 08701
Tel: (732) 961-2162
Certificate of Authorization No. 24GA27999000

PRELIMINARY & FINAL MAJOR SITE PLAN
PORTIONS OF
TAX LOTS 1, 1.03, 1.04; BLOCK 5014
192 DOREMUS, LLC
GRADING AND UTILITY PLAN

SITUATED IN
CITY OF NEWARK, ESSEX COUNTY, NEW JERSEY

Date	Scale	Drawn	Checked	Released	Job No.	Drawer Number	Drawing Name	
7/23/09	(H)1"=40' (V)	DS			504313000100	411-006	02-Site Plan.dwg	4 OF 7

7